PUBLIC VERSION (NON-CONFIDENTIAL)

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner

CASE IPR2016-00448
Patent 7,908,343

PATENT OWNER BRADIUM TECHNOLOGIES LLC'S RESPONSE PURSUANT TO 37 C.F.R. §42.120

PROTECTIVE ORDER MATERIAL

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Patent Owner Bradium Technologies LLC ("Patent Owner") hereby submits this Patent Owner's Response to the Petition filed by Microsoft Corporation ("Petitioner") in case IPR2016-00448 for review of claims 1–20 of U.S. Patent No. 7,908,343 (the "'343 patent").

I. INTRODUCTION

The Board instituted *inter partes* review on one ground: whether claims 1–20 are patentable over Reddy in view of Hornbacker. But the Board did not have the benefit of a full record, including the declarations of Dr. Peggy Agouris and of inventor, Mr. Isaac Levanon. Based on the complete record, the Board should affirm the patentability of all claims.

Reddy in view of Hornbacker does not teach or suggest all of the elements of the challenged claims of the '343 patent, including a limited bandwidth device or communications channel, the '343 patent's efficient K_D, X, Y data structure, prioritization of data parcels, or a prioritization value associated with an update data parcel request. Hornbacker does not disclose all the elements which Reddy is lacking, including the efficient K_D, X, Y data structures of the '343 patent, prioritization of data parcels and a prioritization value parameter. Ex. 2003, ¶¶46–48.

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In any case, a POSA would not have combined Reddy and Hornbacker to arrive at the claimed invention. A POSA would not consider a document-processing reference such as Hornbacker for GIS applications. Ex. 2003, ¶¶50, 127-132. Also, in addressing a bandwidth-limited situation, a POSA would not have looked to Reddy, either alone or in view of Hornbacker, because Reddy is specifically designed for a high-speed internet connection and is computationally complex and bandwidth intensive. *See* Ex. 2066 at 2 (proposal to build application over advanced NGI networks); Ex. 2003, ¶¶51-52. Reddy is part of the Multidimensional Applications GigaBit (extremely high-speed) Internet Consortium (MAGIC) project. Ex. 1004, ¶38 and p.37 (Acknowledgements, showing funding by MAGIC II). A POSA would not have considered Reddy for a limited bandwidth environment and would not have applied Reddy to achieve the method and system described and claimed in the '343 patent. Ex. 2003, ¶53.

A POSA would also not have considered Hornbacker in a bandwidth-limited environment. Hornbacker discloses that the server custom-calculates tile views of an image based, for example, on a particular angle of rotation that the user happens to request—these tiles would be unusable in the system of Hornbacker by a user who requests the same image at a slightly different angle, for example, which a POSA would understand to be an inefficient approach that would needlessly result in duplicative network traffic. Ex. 2003, ¶54.

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